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WHY WE ARE EASY PREY FOR SPIES

We hobbled our intelligence agencies after Watergate, remember?
Now we're paying the penalty

BY JOHN BARRON

BEFORE DAWN ON May 20, 1985, a shiver of horror began to spread through the highest echelons of the U.S. intelligence community. In a Maryland motel outside Washington, D.C., FBI agents had just arrested retired Navy Warrant Officer John Anthony Walker, Jr. Hours before, they had scooped up a cache of documents Walker deposited in nearby woods for a waiting KGB officer. FBI analysis of the documents

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indicated that a Soviet espionage network had long penetrated some of America's most secret communications and cryptographic systems. Everyone informed at the White House, the Pentagon, the CIA and National Security Agency (NSA) instantly understood the catastrophic implications.

The United States had already suffered grievous losses through espionage. Between 1982 and 1985, the FBI arrested 30 people for spying, more than in any other comparable period since World War II. They included employees of the CIA, FBI, NSA, Naval Investigative Service, Defense Department and important defense industries. At the same time, the United States expelled 20 Soviet-bloc "diplomats."

Through espionage, the Soviets in recent years had looted much of America's most advanced technology. Data stolen included plans for the space shuttle; details of computers, lasers, missiles; design of our best fighter aircraft; and plans for space-based defenses.

Engineer James Durwood Harper, Jr.—with information from his wife, who worked for a defense contractor—had betrayed how we protect our strategic missiles. Northrop Corporation engineer Thomas Patrick Cavanagh had tried to pass to the Russians details of the ultra-secret Stealth bomber. (He entered a conditional plea of guilty and the case is now on appeal.) Hughes Aircraft engineer William Holden Bell had sold secrets of sophisticated new radar systems and missiles, saving the Soviets vast sums in research expenditures.

Costly as these losses were, they still did not give the Soviet Union the capability of defeating the United States in war. But what the Soviets learned from John Walker, his seaman son Michael and his brother Arthur, a retired Navy lieutenant commander, may well have put the very life of the nation in peril.*

By breaking into secret naval communications, the Soviets knew the strength and plans of our surface and submarine forces throughout the world. The knowledge they gained from the Walker spy ring might have enabled them to disrupt communications in wartime and

*Last year, all three confessed to espionage. As a result of pretrial negotiations, it is expected that John Walker will be sentenced to life imprisonment, and Michael to 25 years. Arthur was also sentenced to life imprisonment, but his case is on appeal. An alleged fourth member of the ring, retired Navy communications specialist Jerry Whitworth, is awaiting trial.

paralyze large elements of the fleet. The consequences could have been "devastating," declared Navy Secretary John Lehman, Jr.

Crumbling Security. The Walker case, following all the other spy scandals, provoked consternation in Congress. Actually, there was no basis for surprise: in the 1970s the United States had systematically dismantled many of its security defenses and enfeebled the rest.

The degeneration was born of a post-Watergate attitude that characterized U.S. intelligence as a greater threat to the country than its avowed enemies. Extremism swiftly swept away long-standing security procedures instituted by President Franklin Roosevelt, reaffirmed by Presidents Harry Truman, Dwight Eisenhower and John Kennedy and repeatedly upheld by the Supreme Court. Along with Congress, the Administrations of both Gerald Ford and Jimmy Carter share blame for the results.

Between 1976 and 1980 Congress cut the number of FBI agents, most of whom are not assigned to counterintelligence, from 8574 to 7804. We allowed communist nations to increase the number of their official personnel here to more than 4000, of whom at least one-third are professional intelligence officers. "The number of hostile agents has grown so much that our FBI counterintelligence agents are greatly outnumbered," reported Attorney General William French Smith in 1981.

The Walker case dramatizes the consequences. For years, KGB officers picked up priceless secrets Walker left at prearranged drop sites around Washington. The sites, all within a 25-mile radius of the White House, included utility poles along rural roads. The Soviets were able to visit these hiding places undetected because the FBI lacked personnel to keep track of all the KGB officers in the country.

For the same reason, alleged spy Ronald William Pelton may have escaped detection for nearly five years. Pursuing clues provided by a KGB defector, the FBI last November finally arrested Pelton, a former NSA employee who possessed some

of the agency's most guarded secrets. Pelton admitted that, after going bankrupt in April 1979, he approached the KGB in Washington the following January seeking money. KGB operatives working out of the Soviet embassy periodically gave him instructions for clandestine meetings in Vienna, Austria, where the Soviets methodically milked him of all he knew. He is presently awaiting trial.

Superficial Checks. American intelligence lacked the resources to keep up with this penetration. In the mid-1970s, Congress had recklessly slashed the number of Defense Department security personnel from 3000 to 1740, ostensibly to save money. Some 84,000 incomplete background investigations piled up. To reduce this backlog, the Defense Department curtailed the scope of its investigations and stopped making re-investigations of persons holding a special top-secret clearance. Such re-examinations were supposed to take place every five years and are essential in identifying people who have bent under life's pressures and become unsuitable for sensitive positions.

Had the Navy taken another look at John Walker, investigators would almost certainly have found out about his spying. At the very least his daughter knew about it and gladly would have unburdened herself if asked by the Navy. Similarly, the government should have re-investigated Bell. People knew that he had acute financial troubles. Once he began spying, all these troubles evaporated. Even a novice investigator would have asked why.

Even before the Defense Department's cost-cutting measures, a soldier, sailor or airman could obtain a secret clearance solely on the basis of a "National Agency Check," in which other government departments are asked if they know anything about the individual. Such a simple check often cannot measure the reliability of men trusted with nuclear and intelligence secrets.

Last November, for example, the FBI arrested Jonathan Jay Pollard, a 31-year-old civilian employee of the Naval Investigative Service, after he sought refuge in the Is-

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raeli embassy. He had allegedly sold highly classified U.S. documents to Israeli intelligence. (He has not yet been formally indicted and is currently being held without bond.) Reporters had no difficulty uncovering incriminating information that had eluded security officers. The *Washington Post* reported: "Friends of Pollard from the period when he was an undergraduate at Stanford said that he had boasted in college that he was working for Israel's intelligence agency Mossad."

Common-Sense Standards. Elsewhere in government, the situation is even more appalling. The Office of Personnel Management, formerly the Civil Service Commission, screens civilian applicants for employment in most federal agencies other than the CIA, FBI, NSA and State Department. For decades, it abided by basic, common-sense standards in barring members of the Communist Party, Soviet-front groups and revolutionary or terrorist organizations from sensitive positions on the ground that they could not be trusted to protect the national interest.

However, the Civil Service Commission in the mid-1970s adopted the position that "mere membership" in a subversive or terrorist outfit was not a ground for disqualification. The government first had to prove that the applicant subscribed to the illegal aims of the organization. But then the commission decided that the government could not even ask applicants whether they belonged to a subversive organization! Such questions would supposedly violate the Privacy Act of 1974.*

The old common-sense standards had also barred criminals, drug addicts and demonstrably dishonest individuals from sensitive

*The Privacy Act prohibits government agencies from keeping records on how people exercise First Amendment rights unless those records are in connection with an authorized law-enforcement activity.

positions. But then the Civil Service Commission decreed that personal weaknesses are not necessarily cause for refusing employment. The government must clearly show that an applicant's problems will impair performance of the specific

government job sought. The commission further ruled that addicts, alcoholics and criminals need not be turned away if they evince signs of rehabilitation.

Yet espionage cases have abundantly demonstrated that Americans suffering from personal problems or character defects are the preferred prey of the KGB. According to his own admission, FBI agent Richard W. Miller stole from his wife's grandmother, committed adultery, skimmed money from an informant and sold information from FBI files. Somehow the KGB got word of him. The government charges that when a female KGB agent, with whom Miller was having an affair, offered him money for a secret FBI document, he took the bait. His first trial ended in a mistrial, and he is awaiting a new trial.

The Civil Service Commission even abolished its own security archives, built up over three decades with hundreds of thousands of personal index cards and thousands of volumes of public source material. The files had been useful in screening both military recruits and civil-service employees. Claiming that the records violated individual privacy, the commission sealed them,

disbanded the research staff and stopped collecting information.

Handcuffs on the FBI. An even more harmful loss followed. For decades the FBI has monitored extremist groups and individuals advocating overthrow of the government. But in 1976, Attorney General Edward Levi, appointed by President Ford, laid down guidelines that prevented the FBI from investigating organizations and their members without evidence that they were engaged in, or likely to engage in, violent crime.

Radical groups whose subversive activities do involve violence tend to be tight conspiracies penetrable only by informants or electronic eavesdropping. But the Levi guidelines so drastically restricted these techniques that the FBI has had great difficulty gathering preliminary evidence to justify a fuller investigation. Incredibly, because of the Privacy Act, the FBI cannot even keep records about publications of many extremist groups.

Francis J. McNamara, a respected security authority, declared in a

1985 study: "The United States today has no domestic intelligence agency. There is a huge hole in its national security and counterintelligence capabilities."

This hole has widened and deepened because most state and local law-enforcement agencies also have stopped gathering intelligence about radicals and subversives. Many have destroyed or locked up the files they had. Because of the

Privacy Act, many have refused to share with federal investigators the criminal records they do maintain.

No one can know exactly how much the overall degradation of our security system has cost the country. But the FBI in recent years has repeatedly discovered communist attempts to subvert government employees. While we have relaxed our defenses, the Soviets have obviously intensified their assault upon them.

The Reagan Administration has tried to repair some of the damage. It has authorized the Defense Department to employ 1057 more security personnel. The number of FBI agents has been raised to 9042, and the restrictive Levi guidelines have been somewhat modified. The Office of Personnel Management now allows investigators to look into possible subversive affiliations of applicants for sensitive jobs. The Defense Department has resumed periodic re-investigations of personnel (though not nearly enough), and Congress recently passed a law requiring state and local agencies to share criminal records with federal investigators if the person under investigation waives privacy rights.

Send Them Home. But the repairs are not enough. The Administration should reduce the bloated Soviet-bloc presence in the United States and give the FBI enough personnel to cope with the enemy intelligence officers allowed to remain. The Administration also should order restoration throughout government of common-sense security standards and investigative procedures. Congress should amend the Privacy Act to guarantee confidentiality of citizens who help investigators.

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No security program will be effective without the voluntary, bipartisan support of the people and their elected representatives. No responsible person will support a program that abridges basic liberties. Part of the genius of American democracy lies in its ability to devise practical compromises between individual rights and the essential interests of society.

In 1981 the Supreme Court declared that "it is 'obvious and unarguable' that no governmental interest is more compelling than the security of the nation." Unless this one compelling interest is upheld, there will be no individual liberties for any of us.